

AN ORDINANCE **97055**

AUTHORIZING THE WAIVER OF ALL OF THE STREET CLOSURE PERMIT FEES TO TEMPORARILY CLOSE MIRACLE LANE, MERCY LANE, FULLER LANE, AND BIRDIE LANE BETWEEN THE HOURS OF 8:00 A.M. AND 4:00 P.M. ON FRIDAYS AND SATURDAYS THROUGH DECEMBER 2003 ON AN "AS NEEDED BASIS" FOR THE PURPOSE OF CONSTRUCTING NEW HOMES BY HABITAT FOR HUMANITY OF SAN ANTONIO; AS REQUESTED BY COUNCILMAN JULIAN CASTRO, DISTRICT 7.

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WHEREAS, Habitat for Humanity of San Antonio will be building new homes in District 7 and will require the temporary closure of Miracle Lane, Mercy Lane, Fuller Lane and Birdie Lane for construction purposes; and

WHEREAS, said closure will be from 8:00 a.m. through 4:00 p.m. on Fridays and Saturdays only on a "as needed basis" through December 2003; and

WHEREAS, the temporary closure of right-of-way for the purpose of construction would have resulted in a fee of approximately \$577.00 per day, however, the Public Works Department has recommended that this request be considered under the Block Party policy that requires a fees of \$75.00 per block per day; and

WHEREAS, Councilman Julian Castro, District 7, is requesting Council concurrence for the waiver of the street closure permit fees of approximately \$8,000.00; and

WHEREAS, the waiver of such fees will result in the loss of revenues based upon the number of days the streets will be closed; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

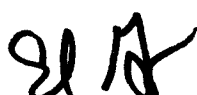
SECTION 1. The waiver of all of the street closure permit fees for the closure Miracle Lane, Mercy Lane, Fuller Lane and Birdie Lane for construction purposes is hereby authorized.

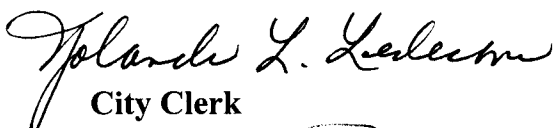
SECTION 2. Habitat for Humanity of San Antonio shall be responsible for **a)** all insurance requirements **b)** posting necessary signs, barricades and any off-duty police officers, as may be required by the City of San Antonio's Public Works and/or Police Departments to evidence the street closures in order to provide for the safety of patrons and the rerouting of pedestrian traffic, and **c)** cleaning up after the construction is completed.


SECTION 3. By making this special use of these public rights-of-way, Habitat for Humanity of San Antonio shall assume all risks inherent in this event and shall indemnify and hold harmless the City of San Antonio from any and all costs, damages, injuries, or losses attendant to, or in any way growing out of this usage.

SECTION 4. This ordinance shall take effect on the 26th day of January, 2003.

PASSED AND APPROVED this 16th day of January, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney